

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HAVTECH, LLC, et al.

*

Plaintiffs,

*

v.

*

CIVIL ACTION NO.:

AAON, INC., et al.

*

Defendants.

*

* * * * *

NOTICE OF REMOVAL

Petitioners/Defendants, AAON, Inc. (Oklahoma), AAON Coil Products, Inc. and AAON, Inc. (Nevada)¹ (hereinafter referred to as “AAON Defendants” or “Petitioners”), by their undersigned attorneys, pursuant to 28 U.S.C. §1441 *et. seq.*, hereby file this Notice of Removal of this action from the Circuit Court for Howard County, Maryland, in which it is now pending, to the United States District Court for the District of Maryland, and in support thereof respectfully aver as follows:

1. Petitioners have been named as Defendants in a suit filed in the Circuit Court for Howard County, Case No.: C-13-CV-22-000062. Suit was originally filed on January 24, 2022. Petitioner, AAON, Inc. (Oklahoma) was served on January 26, 2022, Petitioner, AAON Coil Products, Inc. was served on February 2, 2022, and Petitioner, AAON, Inc. (Nevada) was served on February 2, 2022.

2. Plaintiff, Havtech, LLC, is a limited liability company formed in the State of Delaware and with its principal place of business in the State of Maryland.

¹ There are two parties identified as “AAON, Inc.” in the Complaint. One of the AAON, Inc. entities was incorporated under the laws of Nevada; the other was incorporated under the laws of Oklahoma. For purposes of clarity, the state of incorporation will be included in parentheses (i.e. AAON, Inc. (Oklahoma)) to indicate which entity is being discussed.

3. Plaintiff, Havtech Parts Division, LLC, is a limited liability company formed in the State of Maryland and with its principal place of business in the State of Maryland.

4. Defendant, AAON, Inc. (Oklahoma) is incorporated in the State of Oklahoma with its principal office located in Oklahoma.

5. Defendant, AAON, Coil Products, Inc. is incorporated in the State of Texas, with its principal office located in Texas.

6. Defendant, AAON, Inc. (Nevada) is incorporated in the State of Nevada, with its principal office located in Oklahoma.

7. The above-entitled action is one in which this Court has original jurisdiction pursuant to Title 28 U.S.C. §1331 and Title 28 U.S.C. §1332. Petitioners seek to remove this action to this Court under Title 28 U.S.C. §1441.

8. Filed herewith are copies of the Writ of Summons for AAON, Inc (Oklahoma) (**Exhibit A**), Writ of Summons for AAON, Coil Products, Inc. (**Exhibit B**), Writ of Summons for AAON, Inc. (Nevada), (**Exhibit C**) and Plaintiffs' Complaint (**Exhibit D**) that were served on Petitioners on January 26, 2022, February 2, 2022, and February 2, 2022, respectively.

9. The above-entitled matter is a civil action in which the Plaintiffs seek compensation against Petitioners/AAON Defendants, from an alleged dispute under the Maryland's Equipment Dealer Contract Act, Maryland Code, Commercial Law Article §§ 19-101, *et seq.*

10. Petitioners are entitled to removal because there is complete diversity of citizenship between the Plaintiffs and Defendants, and the amount in controversy exceeds \$75,000.00. Plaintiff, Havtech, LLC, is a limited liability company formed in the State of Delaware and Plaintiff, Havtech Parts Division, LLC, is a limited liability company formed in

the State of Maryland. The principal place of business of both Plaintiffs is in the State of Maryland. All three Defendants are formed in and have their principal place of business outside the State of Maryland, specifically AAON, Inc. (Oklahoma) is incorporated in the State of Oklahoma with its principal office located in Oklahoma; AAON, Coil Products, Inc. is incorporated in the State of Texas, with its principal office located in Texas; and AAON, Inc. (Nevada) is incorporated in the State of Nevada, with its principal office located in Oklahoma. Plaintiffs' Complaint seeks judgment in excess of \$75,000.00 in damages.

13. All Defendants have been served and have consented to this Notice of Removal prior to removal.

WHEREFORE, Petitioners/Defendants, AAON, Inc. (Oklahoma), AAON Coil Products, Inc. and AAON, Inc. (Nevada), respectfully request that the above-entitled action be removed from the Circuit Court for Howard County, Maryland to the United States District Court for the District of Maryland.

Respectfully submitted,

/s/

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Attorneys for Defendants AAON, Inc., AAON Coil Products, Inc. and AAON, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 23rd day of February 2022 a copy of *Defendants, AAON, Inc, AAON Coil Products, Inc. and AAON, Inc.'s, Notice of Removal*, was filed electronically through the Court's ECF system and mailed, first-class mail, postage prepaid to:

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_____/s/
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